

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2001-223

October 22, 2002

PUBLIC UTILITIES COMMISSION
Maine Telecommunications Education
Access Fund

ORDER

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

I. INTRODUCTION

In this Order, we approve the MTEAF Advisory Board's recommendation to fund the Internet filtering solution proposed by the University of Maine System Network for Education and Technology Services (UNET). Funding for the 2002-2003 year will be \$120,000.

II. BACKGROUND

The Children's Internet Protection Act (CIPA) and the Neighborhood Internet Protection Act (NCIPA) went into effect on April 20, 2001. These new federal laws place restrictions on the use of funding that is available from various federal programs, including E-Rate. These restrictions take the form of requirements for Internet safety policies and technology that block or filter certain material from being accessed through the Internet. Maine's statute, 35-A M.R.S.A. § 7104-B(6), and Chapter 285 of the Commission's rules require that qualified schools and libraries apply for federal E-Rate discounts in order to receive MTEAF funding.

The Board asked UNET to recommend a filtering product that could be effective for the entire network. Filtering technology is much more efficient and has less negative impact on the network if provided at the enterprise level (by UNET). UNET evaluated a number of vendors and proposed an N2H2 product that met the needs of the MSLN users. The product chosen allows local control of the types and levels of filtering which was a requirement of the Board and many of the users. Libraries are not currently required to use filtering to receive federal E-Rate or MTEAF funds because of recent court action. UNET negotiated a contract price that is less than originally estimated, providing filtering for up to 100,000 machines on the MSLN. Currently there are about 60,000 machines. The contract will allow additional machines to be connected and filtered through the MSLN.

III. CONCLUSION

We authorize the Chair of the Advisory Board to reimburse UNET for the N2H2 filtering contract. Funding for the 2002-2003 year will be \$120,000.

Dated at Augusta, Maine, this 22nd day of October 2002.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Diamond
 Nugent

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

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